

106TH CONGRESS
1ST SESSION

H. R. 2721

To amend the Immigration and Nationality Act to preclude the removal of an alien who unlawfully voted solely due to a misunderstanding of his or her eligibility to vote or citizenship status.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1999

Mrs. MINK of Hawaii introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to preclude the removal of an alien who unlawfully voted solely due to a misunderstanding of his or her eligibility to vote or citizenship status.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LIMITING THE REMOVAL OF CERTAIN ALIENS**
4 **WHO HAVE UNLAWFULLY VOTED.**

5 (a) LIMITING INADMISSIBILITY OF ALIENS WHO
6 HAVE UNLAWFULLY VOTED.—Section 212(a)(10)(D) of
7 the Immigration and Nationality Act (8 U.S.C.
8 1182(a)(10)(D)) is amended to read as follows:

1 “(D) UNLAWFUL VOTERS.—

2 “(i) IN GENERAL.—Any alien who has
3 voted in violation of any Federal, State, or
4 local constitutional provision, statute, ordi-
5 nance, or regulation is inadmissible.

6 “(ii) EXCEPTION.—Clause (i) shall
7 not apply to an alien if—

8 “(I) any vote described in such
9 clause was unlawful solely on the
10 ground that the alien is not a citizen
11 of the United States; and

12 “(II) the alien committed any
13 such violation because of a good faith
14 belief on the part of the alien that he
15 or she was a citizen of the United
16 States or had an immigration status
17 that otherwise rendered him or her el-
18 igible to vote.”.

19 (b) LIMITING REMOVAL OF ALIENS WHO HAVE UN-
20 LAWFULLY VOTED.—Section 237(a)(6) of the Immigra-
21 tion and Nationality Act (8 U.S.C. 1227(a)(6)) is amend-
22 ed to read as follows:

23 “(6) UNLAWFUL VOTERS.—

24 “(A) IN GENERAL.—Any alien who has
25 voted in violation of any Federal, State, or local

1 constitutional provision, statute, ordinance, or
2 regulation is deportable.

3 “(B) EXCEPTION.—Subparagraph (A)
4 shall not apply to an alien if—

5 “(i) any vote described in such sub-
6 paragraph was unlawful solely on the
7 ground that the alien is not a citizen of the
8 United States; and

9 “(ii) the alien committed any such
10 violation because of a good faith belief on
11 the part of the alien that he or she was a
12 citizen of the United States or had an im-
13 migration status that otherwise rendered
14 him or her eligible to vote.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect as if included in the enact-
17 ment of section 347 of the Illegal Immigration Reform and
18 Immigrant Responsibility Act of 1996 (Public Law 104–
19 208; 110 Stat. 3009–638) and shall apply to voting occur-
20 ring before, on, or after the date of the enactment of such
21 Act.

○